

# Texas Education Today

News from the Texas Education Agency



## 2013 Texas Legislative Session

More than **100 bills** were passed during the 2013 legislative session that deal with public education. This issue of Texas Education Today contains information about a number of key bills.

For impact of the new education laws, see the Texas Education Agency-produced briefing book. The briefing book for the 83rd Legislative session can be found at

[www.tea.state.tx.us/Communications/Annual\\_Reports/Legislative\\_Briefing\\_Book/](http://www.tea.state.tx.us/Communications/Annual_Reports/Legislative_Briefing_Book/).

### 2013 Accountability

#### 93 percent of districts earn Met Standard rating

The Texas Education Agency released the 2013 state accountability system ratings for more than 1,200 school districts and charters, and more than 8,500 campuses. [complete story on page 2]

### STAAR

#### 2012-13 STAAR® results announced

Passing rates on the State of Texas Assessments of Academic Readiness (STAAR) end-of-course tests were largely stable during the second year of the program. [complete story on page 4]

### Graduation Rates

#### Rate sets another all-time high

Texas high school on-time graduation rate has set an all-time high, reaching 87.7 percent for the Class of 2012. The graduation rate for the Class of 2012 is 1.8 percentage points higher than the previous record set by the Class of 2011 [complete story on page 7]

### Graduation Requirements

#### Legislation changes grad requirements

New legislation will significantly change the state's graduation requirements, beginning with freshmen who enter high school in the 2014-15 school year. [complete story on page 9]

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## Accountability

**93 percent of districts earn Met Standard rating**

The Texas Education Agency released the 2013 state accountability system ratings for more than 1,200 school districts and charters, and more than 8,500 campuses. The ratings reveal that almost 93 percent of school districts and charters across Texas have achieved the rating of Met Standard.

Districts, campuses and charters receive one of three ratings under the new accountability system: Met Standard; Met Alternative Standard; or Improvement Required. School district ratings (including charter operators) by category in 2013 are as follows:

**School District Ratings**

RATING	DISTRICT	CHARTER	TOTAL	PERCENT
<b>Met Standard/Alternative</b>	<b>975</b>	<b>161</b>	<b>1,136</b>	<b>92.5%</b>
Met Standard	975	126	1,101	89.7%
Met Alternative Standard	N/A	35	35	2.9%
<b>Improvement Required</b>	<b>50</b>	<b>30</b>	<b>80</b>	<b>6.5%</b>
Not Rated	1	11	12	1.0%
<b>TOTAL</b>	<b>1,026</b>	<b>202</b>	<b>1,228</b>	<b>100.0%</b>

"A transition to a new accountability system comes with a great deal of uncertainty," said Commissioner of Education Michael Williams. "The 2013 ratings confirm that the vast majority of districts and campuses are meeting the state's standards and providing a quality education for our students."

The 2013 ratings are based on a revised system that uses various indicators to provide greater detail on the performance of a district or charter and each individual campus throughout the state. The performance index framework includes four areas:

- Student Achievement – Represents a snapshot of performance across all subjects, on both general and alternative assessments, at an established performance standard. (All Students)
- Student Progress – Provides an opportunity for diverse campuses to show improvements made independent of overall achievement levels. Growth is evaluated by subject and student group. (All Students; Student Groups by Race/Ethnicity; English Language Learners; Special Education)
- Closing Performance Gaps – Emphasizes improving academic achievement of the economically disadvantaged student group and the lowest performing race/ethnicity student groups at each campus or district. (All Economically Disadvantaged Students; Student Groups by Race/Ethnicity)
- Postsecondary Readiness – Includes measures of high school completion, and beginning in 2014, State of Texas Assessments of Academic Readiness (STAAR®) performance at the postsecondary readiness standard. (All Students; Student Groups by Race/Ethnicity; English Language Learners; Special Education)

Districts and campuses with students in Grade 9 or above must meet targets on all four indexes. Districts and campuses with students in Grade 8 or lower must meet targets on the first three indexes (excluding Postsecondary Readiness).

Under the 2013 state accountability system, campus ratings (including charter campuses) by category and school type are as follows:

◆ See **Campus Ratings**, page 3



Campus Ratings *continued*

## Campus Ratings

RATING	ELEM	MIDDLE	HS	MULTI	TOTAL	PERCENT
<b>Met Standard/Alternative</b>	<b>4,062</b>	<b>1,511</b>	<b>1,338</b>	<b>295</b>	<b>7,206</b>	<b>84.2%</b>
Met Standard	4,062	1,504	1,156	264	6,986	81.7%
Met Alternative Standard	N/A	7	182	31	220	2.6%
<b>Improvement Required</b>	<b>477</b>	<b>133</b>	<b>129</b>	<b>39</b>	<b>778</b>	<b>9.1%</b>
Not Rated	73	62	280	156	571	6.7%
TOTAL	4,612	1,706	1,747	490	8,555	100.0%

For eligible campuses that achieve the rating of Met Standard, distinction designations in the following areas have also been assigned: Top 25 Percent Student Progress; Academic Achievement in Reading/English language arts; and Academic Achievement in Mathematics.

Approximately 3,600 campuses that achieved the Met Standard rating earned some type of distinction. More than 750 campuses earned distinctions in all three potential areas. These distinction designations are based on campus performance in relation to a comparison group of campuses. Distinctions earned (by campus type) in 2013 are as follows:

## Met Standard Distinctions

DISTINCTION(S) EARNED	ELEM	MIDDLE	HS	MULTI	TOTAL
<b>Top 25% Progress &amp; Read/ELA &amp; Math*</b>	<b>385</b>	<b>182</b>	<b>152</b>	<b>40</b>	<b>759</b>
Top 25 % Progress	326	94	117	16	553
Top 25% Progress & Reading/ELA	186	88	34	11	319
Top 25% Progress & Math	209	93	48	10	360
Reading/ELA	547	183	63	28	821
Reading/ELA & Mathematics	164	81	147	32	424
Mathematics	133	122	84	24	363

\* Denotes campus received Met Standard rating plus all three possible distinctions under the 2013 state accountability system.

"Under the new accountability system, these designations recognize outstanding work at the campus level that would not be acknowledged in previous years," said Commissioner Williams. "Despite the many positive numbers, I am confident school leaders across our state share my concern for the number of campuses where improvement is still required, especially at the elementary level. If we can target our efforts in those grade levels today, the state will see improvements for all students in the years ahead."

Commissioner Williams noted that while the four components of the new accountability system are in place, future adjustments will be made based on district and stakeholder feedback. In addition, House Bill 5 (passed by the 83rd Texas Legislature) requires stronger measures of postsecondary readiness to be added to the system

To view the 2013 state accountability ratings for districts, charters and campuses, visit the Texas Education Agency web site at [ritter.tea.state.tx.us/perfreport/account/2013/index.html](http://ritter.tea.state.tx.us/perfreport/account/2013/index.html).



## Testing

**STAAR<sup>®</sup> passing rates stable for 2012-13**

Passing rates on the State of Texas Assessments of Academic Readiness (STAAR) end-of-course tests were largely stable during the second year of this program, with students faring the best on science assessments and continuing to struggle with writing, according to statewide results for all 2012-13 STAAR tests.

Passing rates on courses typically taken by high school freshman ranged from 88 percent on Biology to 54 percent on English I writing. The results showed very little change from 2012 levels when comparing the performance of first-time test takers.

“We know that we are asking more of our students and educators under the STAAR program,” said Commissioner of Education Michael Williams. “Our students and teachers are still adjusting to the new expectations, but it is clear we must improve instruction to meet 21st century demands.”

Overall STAAR passing rates during the spring 2012-13 administration of high school assessments (first-time test takers only/no retesters) are as follows:

**First-Time Test Taker Results**

	<b>Course</b>	<b>Percent Passing</b>	<b>Students Tested</b>
<b>Mathematics</b>	Algebra I <i>(Down 0.6 percent from STAAR spring 2012 administration)</i>	82.1	336,437
	Geometry*	86.2	295,877
<b>Reading</b>	English I <i>(Up 2.2 percent from STAAR spring 2012 administration)</i>	70.1	338,872
	English II*	78.0	313,423
<b>Writing</b>	English I <i>(Down 0.2 percent from STAAR spring 2012 administration)</i>	54.3	338,646
	English II*	52.7	313,981
<b>Science</b>	Biology <i>(Up 0.9 percent from STAAR spring 2012 administration)</i>	88.0	338,704
	Chemistry*	83.7	267,996
<b>Social Studies</b>	World Geography <i>(Down 0.1 percent from STAAR spring 2012 administration)</i>	80.5	332,701
	World History*	70.2	305,152

\* Denotes first year of full implementation for STAAR assessment in that subject area

“While we would have hoped to see an across-the-board increase in performance, the difficulty of the tests, coupled with the uncertainty of the testing program’s future, likely impacted performance this year,” Commissioner Williams said. “We may find that with STAAR our performance increases gradually rather than in large bursts.”

◆ See **Passing Rates**, page 5



## Passing Rates *continued*

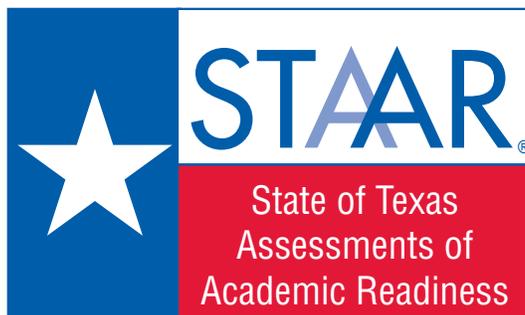
Williams noted that in English I - Reading (where there is a percentage increase between spring administrations), that improvement is seen across multiple student groups including African-American students (an increase of 1.5 percent), Hispanic students (an increase of 3.2 percent) and Economically Disadvantaged students (an increase of 2.6 percent).

Williams also acknowledged that the writing exams are a significant departure from past state assessments. Under the exit-level Texas Assessment of Knowledge and Skills (TAKS), students were required to write a personal narrative essay, while the more rigorous STAAR includes expository and persuasive essays. These are types of writing typically expected in the workplace or college.

To help strengthen future student performance, TEA has made a number of resources available to help improve writing skills. These resources include

the STAAR scoring guides which contain samples of well-written STAAR essays. The 2013 STAAR tests were also publicly released Aug. 5.

“Good writing is critical for success in college and in the workforce, and the lagging performance in writing corresponds with what we’ve been hearing from higher education and from employers,” Williams said. “By continuing to shine the light on writing performance, I’m optimistic that we can graduate students who are better communicators.”



This year also marked the last time that an entire class will take the exit-level TAKS. The Class of 2014 must pass TAKS, as well as their courses, to meet graduation requirements. For these 11th grade-students, TAKS passing rates ranged from 99 percent on the social studies test to 89 percent on the mathematics assessment

◆ See **STAAR Rates**, page 6

## Military Families

### New and revised laws for military families

New and revised laws related to excused absences, data reporting and expedited teaching certificates for military families and veterans all were approved during the 83rd Texas Legislative session.

The three pieces of legislation will: allow excused absences for students visiting with deploying or returning parents; require school districts to collect and report data on military families; and allow for expedited issuance of educator certification to veterans or veteran spouses.

Under [Senate Bill 260](#), a student whose parent, step-parent or legal guardian is an active duty military member who has been called to duty, is on leave or has returned from continuous deployment for at least four months, is granted a maximum of five days of excused absences per school year. Previously it was district discretion whether to allow the excused absences.

The absence must be taken no earlier than 60 days before the date of deployment or not later than 30 days after the date of return from deployment. Beginning with the 2013-14 school year, school districts will be required to adjust their attendance policies to comply with the new law.

#### Data Collection

Beginning with the 2013-14 school year, districts will also be required to collect data on “military-connected students” and report that data to the Texas Education Agency (TEA).

◆ See **Military Families**, page 6



## Military Families *continued*

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Under [House Bill 525](#), districts will collect the data at the beginning and end of each school year, and report it to TEA through the Public Education Information Management System (PEIMS). The reported data is to include the number of active duty military-connected students and the number of National Guard or reserve military-connected students enrolled in a school district or open-enrollment charter school.

Military-connected students are identified as a student who is a dependent of a member of the U.S. military serving in the Army, Navy, Air Force, Marine Corps, or Coast Guard on active duty. The data is also required if the student is a dependent of a member of the Texas National Guard or a reserve force of the US military.

## Certification

Under the state's Occupation Code, [Senate Bill 162](#) provides expedited and expanded licensing procedures for educator certification for military personnel, veterans and spouses.

The bill which became effective May 18, also allows for military service, training and education to count toward the licensing requirements. Spouses of military personnel who hold current equivalent licenses from other jurisdictions are also eligible for expedited licensure.

The law applies to licenses granted beginning March 1, 2014.

The State Board for Educator Certification must develop and adopt rules under Occupations Code 55.005, 55.006, and 55.007 no later than Jan. 1, 2014.

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## STAAR Rates *continued*

### Grades 5 & 8

Under state law, Texas students in grades 5 and 8 must pass the STAAR reading and math tests to be promoted to the next grade.

Seventy-seven percent of fifth-grade students passed the STAAR reading test on the first try in April, and 89 percent had passed after the third administration of the test. Seventy-five percent of the fifth graders passed the mathematics tests in April, and the cumulative passing rate was 90 percent after the third administration of the test in May.

This year, 84 percent of eighth-grade students passed reading on the first try and 91 percent had passed after the third administration. On the STAAR math test, 77 percent of eighth-grade students passed the test the first time they took it, and 89 percent passed after three tries.

State law requires students who do not pass these tests to be retained in their current grade unless a parent appeals the retention and a Grade Placement Committee unanimously agrees to promote them.

Eighth-grade students took two additional STAAR tests that do not impact their grade placement. Seventy-five percent of students passed the science test, and 63 percent passed the social studies test.

### Other Elementary and Middle School Grades

Passing percentages for grades 3, 4, 6 and 7 ranged from a high of 79 percent on the third-grade reading to 70 percent on seventh-grade writing.

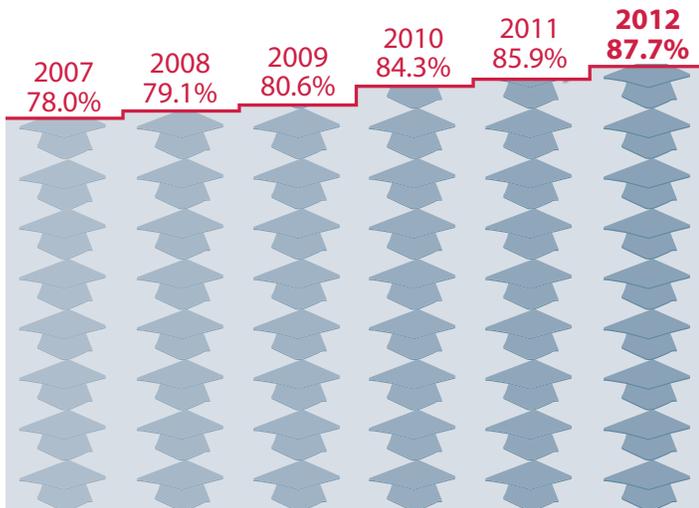
Comparison charts of [statewide results](#) and summary charts provide more detail about all STAAR results. [District results](#) are available at the Pearson Education, Inc. website.



## Rates

## Texas graduation rate sets another all-time high record

Commissioner of Education Michael Williams announced on Aug. 6 that the Texas high school on-time graduation rate has set an all-time high, reaching 87.7 percent for the Class of 2012. The graduation rate for the Class of 2012 is 1.8 percentage points higher than the previous record set by the Class of 2011 and marks the fifth consecutive year the rate has increased.



“Last year, the Class of 2011 in Texas set a graduation rate that was among the highest in the nation, and now the Class of 2012 has bested that number,” said Commissioner Williams. “All those working in Texas education should be proud of our strong numbers and the strides we continue to make as a state.”

Out of 316,758 students in the Class of 2012 Grade 9 cohort, 87.7 percent graduated. An additional five percent of students in the Class of 2012 continued in high school the fall after their anticipated graduation date. One percent received GED certificates.

The latest graduation figures are among the findings highlighted in the Texas Education Agency’s study, “Secondary School Completion and Dropouts in Texas Public Schools, 2011-12.” Other notable graduation findings from the study include:

- Across racial/ethnic groups, the graduation rate for the Class of 2012 reflects all-time highs for White (93 percent), Hispanic (84.3 percent) and African-American (83.5 percent) students.

- Asian students in Texas had the highest graduation rate (94.4 percent) in the Class of 2012 Grade 9 cohort.
- Females in the Class of 2012 Grade 9 cohort had a higher graduation rate (90.1 percent) than males (85.4 percent).
- The graduation rate for economically disadvantaged students in the Class of 2012 Grade 9 cohort was 85.1 percent, an increase of 1.4 percentage points over the Class of 2011.

The U.S. Department of Education National Center for Education Statistics (NCES) is the federal entity with primary responsibility for collecting and analyzing data related to education in the United States. In 2003, the 78th Texas Legislature passed legislation requiring dropout rates be computed according to the NCES dropout definition.

The TEA study also shows that the longitudinal dropout rate for the Class of 2012 Grade 9 cohort was 6.3 percent, a decrease of 0.5 percentage points from the Class of 2011, with the rate for Asian students at 2.1 percent, White students at 3.2 percent, Hispanic students at 8.0 percent and African-American students at 10.1 percent.

Out of 2,150,364 students who attended Grades 7-12 in Texas public schools during the 2011-12 school year, 1.7 percent were reported to have dropped out, an increase of 0.1 percentage points from 2010-11. The number of dropouts in Grades 7-12 increased to 36,276, a 5.6 percent increase from the 34,363 students who dropped out in 2010-11.

“Districts across our state work every year to keep students in school and to get those students who have left to return to the classroom,” said Commissioner Williams. “But as long as there are students who are not reaching the finish line and earning their high school diploma, we should not be satisfied. As Commissioner, I will be watching closely how districts address this critical issue.”

◆ See **Dropout Findings**, page 8



## Dropout Findings *continued*

Other dropout findings from the study include:

- total of 1,991 students dropped out of Grades 7-8, and 34,285 dropped out of Grades 9-12. The Grade 7-8 and Grade 9-12 annual dropout rates were 0.3 percent and 2.4 percent, respectively.
- Across racial/ethnic groups, the 2011-12 Grade 7-12 dropout rates showed Asian students at 0.6 percent, White students at 0.8 percent, Hispanic students at 2.1 percent and African-American students at 2.6 percent.
- The Grade 7-12 dropout rate for males (1.9 percent) exceeded the rate for females (1.5 percent) in 2011-12. More males dropped out from Grade 9 (5,436) than from any other

grade. By contrast, more females dropped out from Grade 12 (4,818) than from any other grade.

- The longitudinal dropout rate for economically disadvantaged students was 7.8 percent, an increase of 0.1 percentage points from the Class of 2011.

A dropout is defined as a student who is enrolled in public school in Grades 7-12, does not return to public school the following fall, is not expelled, and does not: graduate, receive a GED certificate, continue school outside the public school system, begin college, or die.

To read the complete "Secondary School Completion and Dropouts in Texas Public Schools 2011-2012" study, visit [www.tea.state.tx.us/acctres/dropcomp\\_index.html](http://www.tea.state.tx.us/acctres/dropcomp_index.html)

## House Bill 866

### TEA seeks federal clarification on HB 866 waiver request

Commissioner of Education Michael Williams has sought clarification from the U.S. Department of Education (USDE) regarding USDE's authority to waive specific provisions of the Elementary and Secondary Education Act, commonly known as the No Child Left Behind Act of 2001.

Under House Bill 866 (passed by the 83rd Texas Legislature and signed by the governor), a USDE waiver must be secured to reduce or eliminate assessment requirements for certain students at the elementary and middle school grade levels.

Should the federal government determine that relevant provisions of federal law may be waived and ultimately grant a waiver request, potential changes would include assessments for math in grades 3, 5 and 8; and reading in grades 3, 5 and 8. Current federal law requires testing for math and reading for all students in grades 3 through 8.

In a July 17th letter to U.S. Secretary of Education Arne Duncan, Commissioner Williams seeks clarification from USDE that the specific federal provisions related to these student tests can and may be waived.

"The legislative authors of House Bill 866 drafted the bill with the intent to reduce the testing burden

and costs for students, teachers, parents, and schools by reducing the amount of mandatory testing for students in grades 3-8 who are high performing," said Commissioner Williams in his letter to Secretary Duncan. "During the legislative session, the authors expressed their belief that this legislation would allow high-performing students to focus their time and energy on learning new material and not focusing every year on a test where there is a high likelihood that they would demonstrate success."

Because there is no set timetable for USDE to reach a decision on waiver requests submitted by states, the provisions of HB 866 will not impact the upcoming 2013-14 school year. In addition, HB 866 does not impact requirements for writing, social studies or science assessments in grades 3 through 8.

Under the legislation, the provisions of HB 866 would take effect no later than Sept. 1, 2015 (once the state has obtained a federal waiver or received written notification that a waiver is not required).

The waiver request for HB 866 would be separate from a previous waiver application submitted by TEA. That request is currently being considered at the federal level.



## Graduation Requirements

**Legislation significantly changes graduation requirements**

New legislation will significantly change the state's graduation requirements, beginning with freshmen who enter high school in the 2014-15 school year.

**HB 5**, passed during the 2013 regular legislative session, moves from the state's "4x4" graduation plan to a 22-credit Foundation High School Plan that allows students to receive endorsements in specific areas. The total number of credits required for a student to earn an endorsement is 26, which is the number of credits currently required under the Recommended High School Program and the Distinguished Achievement Program.

The new graduation program allows students to earn performance acknowledgments for outstanding performance in areas such as bilingualism and biliteracy or on tests such as the SAT or ACT. They can also earn a distinguished level of achievement by completing a total of four math credits, including Algebra II, a total of four science credits, and earning at least one endorsement.

"This bill calls for something of a culture change," House Public Education Chair Jimmie Don Aycock told the State Board of Education. He said the bill calls for a less prescriptive graduation plan that allows local communities to craft courses or

requirements that fit their needs.

A side-by-side comparison of the current three plans and the new Foundation program is pages 11 and 12 of this newsletter.

"In the new world, we're going to have a single diploma with add-ons," said Monica Martinez, director of the Texas Education Agency's curriculum division, referring to the endorsements and performance acknowledgments.

Aycock said the legislature intentionally left many of the decisions that must be made about graduation plans to the State Board of Education. These decisions include defining which courses constitute an "advanced" English, mathematics or science course, creating new courses for the endorsements and adjusting the academic achievement record.

The board will work to update the graduation plans throughout the fall semester.

As already defined by the new law, the Foundation High School Program will consist of:

**Foundation High School Program**

Subject	Credits	Courses
English	4	English I, English II, English III and an advanced English course
Mathematics	3	Algebra I, Geometry and an advanced mathematics course
Science	3	Biology, Integrated Physics and Chemistry (IPC) or an advanced science course; an additional advanced science course
Social Studies	3	U. S. History, U.S. Government, Economics, World Geography or World History or a new combined World History/World Geography course
Physical Education	1	
Languages Other Than English	2	two credits in the same language, which could be a computer programming language
Fine Arts	1	
Electives	5	

◆ See **Foundation High School Program**, page 10



## Reporting

**Snapshot 2012 now available on TEA website****Performance Reporting****Snapshot 2012 (2011-12)**

On July 19, Commissioner of Education Michael Williams announced that the [2012 Snapshot: School District Profiles](#) is available on the

Texas Education Agency (TEA) website.

Snapshot is a TEA on-line resource that provides an overview of public education in Texas for a particular school year. In addition to state-level information, this website contains a profile about the characteristics of each public school district and charter school.

"For parents seeking more information about their child's school district or anyone wanting to see the raw numbers behind Texas education, there is no better resource than Snapshot," said

Commissioner Williams. "More than 90 items of data for each district can be browsed for the 2011-12 school year."

Williams noted that Snapshot summary tables provide district information in some common categories, and a peer search function permits grouping districts according to shared characteristics.

While Snapshot does provide an overview of public education in Texas at the state level and for each public school district, it does not provide any campus-level information. Snapshot download capabilities will be made available in mid-August.

With the posting of the 2012 Snapshot, 18 years of information are now available at the site.

**Foundation High School Program *continued***

*Chair, House Public Education  
Jimmie Don Aycock*

Beginning with those who are freshman during the 2014-2015 school year, a student will be placed on the Foundation Graduation Program and the law requires the student to select an endorsement. At the end of the 10th grade year, a student with his parents' permission can opt to follow the 22-credit Foundation plan without an endorsement.

A student will earn an endorsement by successfully completing four credits of math, four credits of science, two additional elective credits and the curriculum requirements for the endorsement. The SBOE will determine those curriculum requirements.

The endorsement areas are: science, technology, engineering and mathematics (STEM); business and industry; public services; arts and humanities; and multidisciplinary studies.

"An endorsement should be viewed as areas of interest. We need to give students enough latitude to find areas of interest," Aycock said.

Each school district or charter must offer the courses necessary for students to complete at least one endorsement. A school district or charter that offers only one endorsement must offer the multidisciplinary studies endorsement.

Sen. Leticia Van de Putte, a member of the Senate Education Committee, told the board in July that legislators want to provide students with flexibility in selecting courses and specifically do not want rigid course sequencing requirements to be enacted, except where absolutely necessary.

While the new graduation program won't be implemented until the fall of 2014, students in the Classes of 2015, 2016 and 2017 will be given the



option of continuing on one of the current graduation programs or switching to the new program.

*Senate Education Committee  
member Leticia Van de Putte*



## Side-by-Side Comparison – Current Graduation Requirements and HB 5 Requirements to be Implemented Beginning in 2014-2015

Discipline	Foundation High School Program	Minimum High School Program	Recommended High School Program	Distinguished Achievement Program
English Language Arts	<b>Four credits:</b> <ul style="list-style-type: none"> <li>English I</li> <li>English II</li> <li>English III</li> <li>An advanced English course</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>English I</li> <li>English II</li> <li>English III</li> <li>English IV or approved alternate course</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>English I</li> <li>English II</li> <li>English III</li> <li>English IV</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>English I</li> <li>English II</li> <li>English III</li> <li>English IV</li> </ul>
Mathematics	<b>Three credits:</b> <ul style="list-style-type: none"> <li>Algebra I</li> <li>Geometry</li> <li>An advanced math course</li> </ul>	<b>Three credits:</b> <ul style="list-style-type: none"> <li>Algebra I</li> <li>Geometry</li> <li>SBOE approved math course</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>Algebra I</li> <li>Algebra II</li> <li>Geometry</li> <li>An additional math credit</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>Algebra I</li> <li>Algebra II</li> <li>Geometry</li> <li>An additional math credit</li> </ul>
Science	<b>Three credits:</b> <ul style="list-style-type: none"> <li>Biology</li> <li>IPC or an advanced science course</li> <li>Any advanced science course</li> </ul>	<b>Two credits:</b> <ul style="list-style-type: none"> <li>Biology</li> <li>IPC or Chemistry and Physics (one of the two serves as an academic elective)</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>Biology</li> <li>Chemistry</li> <li>Physics</li> <li>An additional science credit</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>Biology</li> <li>Chemistry</li> <li>Physics</li> <li>An additional science credit</li> </ul>
Social Studies	<b>Three credits:</b> <ul style="list-style-type: none"> <li>World History or World Geography or combined W. History/W. Geography</li> <li>U.S. History</li> <li>U.S. Government (one-half credit)</li> <li>Economics (one-half credit)</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>World History Studies (one credit) or</li> <li>World Geography Studies (one credit)</li> <li>U.S. History Studies Since 1877 (one credit)</li> <li>U.S. Government (one-half credit)</li> <li>Economics (one-half credit)</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>World History Studies (one credit)</li> <li>World Geography Studies (one credit)</li> <li>U.S. History Studies Since 1877 (one credit)</li> <li>U.S. Government (one-half credit)</li> <li>Economics (one-half credit)</li> </ul>	<b>Four credits:</b> <ul style="list-style-type: none"> <li>World History Studies (one credit)</li> <li>World Geography Studies (one credit)</li> <li>U.S. History Studies Since 1877 (one credit)</li> <li>U.S. Government (one-half credit)</li> <li>Economics (one-half credit)</li> </ul>
Physical Education	<b>One credit</b>	<b>One credit</b>	<b>One credit</b>	<b>One credit</b>
Languages Other Than English	<b>Two credits in the same language</b> <ul style="list-style-type: none"> <li>Computer programming languages (other exceptions)</li> </ul>	<b>None</b>	<b>Two credits in the same language</b>	<b>Three credits in the same language</b>
Fine Arts	<b>One credit</b>	<b>One credit</b>	<b>One credit</b>	<b>One credit</b>
Speech		<b>One-half credit from either of the following:</b> <ul style="list-style-type: none"> <li>Communication Applications</li> <li>Professional Communications (CTE)</li> </ul>	<b>One-half credit from either of the following:</b> <ul style="list-style-type: none"> <li>Communication Applications</li> <li>Professional Communications (CTE)</li> </ul>	<b>One-half credit from either of the following:</b> <ul style="list-style-type: none"> <li>Communication Applications</li> <li>Professional Communications (CTE)</li> </ul>
Electives	<b>Five credits</b>	<b>Seven and one half credits (one must be an academic elective)</b>	<b>Five and one-half credits</b>	<b>Four and one-half credits</b>
<b>Total Credits</b>	<b>22</b>	<b>22</b>	<b>26</b>	<b>26</b>
<b>Endorsements</b>	A student may earn an endorsement by successfully completing: <ul style="list-style-type: none"> <li>curriculum requirements for the endorsement</li> <li>four credits in mathematics</li> <li>four credits in science</li> <li>two additional elective credits</li> </ul>			
STEM	Includes courses directly related to: <ul style="list-style-type: none"> <li>science, including environmental science</li> <li>technology, including computer science</li> <li>engineering</li> <li>advanced math</li> </ul>			

Chart Continued page 12

## Side-by-Side Comparison – Current Graduation Requirements and HB 5 Requirements to be Implemented Beginning in 2014-2015

Discipline	Foundation High School Program	Minimum High School Program	Recommended High School Program	Distinguished Achievement Program
<b>Endorsements Continued</b>				
Business and Industry	Includes courses directly related to: <ul style="list-style-type: none"> <li>• accounting</li> <li>• architecture</li> <li>• communications</li> <li>• construction</li> <li>• finance</li> <li>• graphic design</li> <li>• HVAC</li> <li>• logistics</li> <li>• marketing</li> <li>• welding</li> <li>• agricultural science</li> <li>• automotive technology</li> <li>• database management</li> <li>• information technology</li> </ul>			
Public services	Includes courses directly related to: <ul style="list-style-type: none"> <li>• health sciences and occupations</li> <li>• education and training</li> <li>• law enforcement</li> <li>• culinary arts and hospitality</li> </ul>			
Arts and Humanities	Includes courses directly related to: <ul style="list-style-type: none"> <li>• political science</li> <li>• world languages</li> <li>• cultural studies</li> <li>• English literature</li> <li>• history</li> <li>• fine arts</li> </ul>			
Multidisciplinary Studies	Allows a student to select courses from the curriculum of each endorsement area and earn credits in a variety of advanced courses from multiple content areas sufficient to complete the distinguished level of achievement			
	<b>Total Credits w/endorsements - 26</b>			
Distinguished achievement	<ul style="list-style-type: none"> <li>• Four credits in math, including credit in Algebra II</li> <li>• Four credits in science</li> <li>• Completion of curriculum requirements for at least one endorsement</li> </ul>			
Performance acknowledgment	<ul style="list-style-type: none"> <li>▪ for outstanding performance <ul style="list-style-type: none"> <li>• in a dual credit course</li> <li>• in bilingualism and biliteracy</li> <li>• on an AP test or IB exam</li> <li>• on the PSAT, the ACT-Plan, the SAT, or the ACT</li> </ul> </li> <li>▪ for earning a nationally or internationally recognized business or industry certification or license</li> </ul>			



## Excellence

## Finalists named for presidential award in math and science

Commissioner of Education Michael Williams announced that eight Texas teachers have been named finalists for the 2013 Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST). The 2013 awards recognize seventh through twelfth grade mathematics and science teachers whose innovative methods bring teaching to life in the classroom.

PAEMST is the highest recognition a mathematics or science teacher may receive for exemplary teaching in the United States. The National Science Foundation administers PAEMST on the behalf of the White House Office of Science and Technology Policy.

"I join with everyone at the Texas Education Agency in congratulating the Texas finalists for the 2013 Presidential Awards for Excellence in Mathematics and Science Teaching," said Commissioner Williams. "These men and women stand as shining examples of the outstanding work educators do in Texas classrooms."

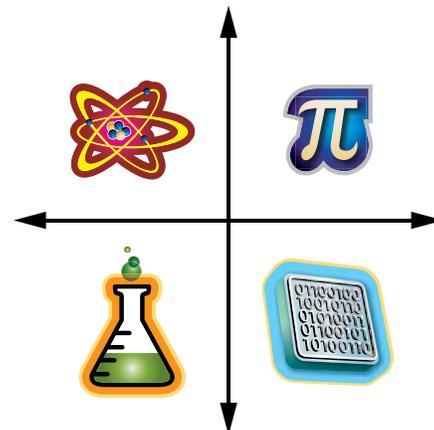
The 2013 Texas finalists in secondary mathematics are listed below:

- **Jessica Caviness** - Geometry teacher at Coppell High School in the Coppell Independent School District
- **Amy Ferguson** - Algebra II teacher and instructional dean of mathematics at Winston Churchill High School in the North East Independent School District
- **Penny Smeltzer** - Advanced Placement (AP) Statistics teacher at Westwood High School in the Round Rock Independent School District
- **Ruth Westbrook** - English as a Second Language (ESL) mathematics teacher in grades 6-8 at McMATH Middle School in the Denton Independent School District

The Texas finalists in secondary science are listed below:

- **Jim M. Manley** - Seventh-grade science teacher at Coyle Middle School in the Garland Independent School District
- **Michalle McCallister** - Eighth-grade science teacher at the Robert G. Cole Middle and High School in the Fort Sam Houston Independent School District
- **Mark Misage** - AP Physics C teacher at Westlake High School in the Eanes Independent School District
- **Kim Wootton** - Anatomy and Physiology, AP Biology, and Forensic Science teacher at New Tech High@Coppell in the Coppell Independent School District

To achieve recognition through this program, a teacher first must be nominated for the award. This year, the Texas PAEMST program received the highest total number of applicants in the nation with 52 in the two subjects combined. A state panel of master teachers, specialists, and administrators reviewed the applications and chose the most outstanding mathematics and science teachers for the National Science Foundation to consider for state finalist status.



◆ See **Excellence**, page 14



## Excellence *continued*

After the initial selection process at the state or territorial level, a panel of distinguished scientists, mathematicians, and educators may select one mathematics and one science teacher from each state and U.S. jurisdiction for the national award.

National award winners will be announced during the summer of 2014. PAEMST winners receive

\$10,000, a citation signed by the President of the United States, and a paid trip for two to Washington, D.C. to attend recognition events and professional development opportunities.

All of the 2013 finalists for Texas will be recognized by the State Board of Education.



## General Educational Development

### GED testing to go digital in 2014

Two significant changes are ahead for the high school equivalency testing program. The GED test will only be available in a computer-based format for Texans beginning Jan. 2 and policy changes are likely to result in a substantial increase in the number of testing centers.

Currently the General Educational Development (GED) battery of tests is available in both pencil and paper and computer-based formats. Texas began offering computer-based testing in March.

Beginning in January, the GED Testing Service, LLC, a partnership between Pearson and the American Council on Education, will administer only computer-based tests. Many Texas correctional institutions, however, have requested a waiver and will continue to offer paper-based tests after the first of the year.

Along with the move to online testing and 24-hour a day registration opportunities, a new updated version of the GED will debut nationally in January. It is important for those who have begun testing using the current 2002 GED testing series to complete and pass all five parts of their

tests by Dec. 31. Scores cannot be combined from different test series so for those who have not successfully completed

the battery of tests, it would be necessary to retake all parts of the GED beginning in next year.



In order to provide additional testing opportunities to Texans, the State Board of Education on July 19 gave tentative approval to a plan that would expand the list of entities that are eligible to become testing centers.

Currently, only school districts, education service centers and public higher education institutions may serve as testing sites. If given final SBOE approval in September, the following entities would be eligible to serve as an official testing center:

- a local workforce development board;
- a U.S. Department of Labor One-Stop Career Center;
- a U.S. Department of Labor Job Corps Center;
- a public or private correctional institution;
- a public or private technical institution or career preparation school;
- any other public or private postsecondary institution offering academic or technical education or vocational training under a certificate program or an associate degree program; and,
- An independent stand-alone testing center.

In 2012, 800,000 people nationally sat for the GED exams, including about 48,000 in Texas.



## Assessments

**TEA releases STAAR assessments**

The Texas Education Agency released copies of the State of Texas Assessments of Academic Readiness (STAAR®) on Aug. 5 and made those assessments available for viewing on the agency's website.

Commissioner of Education Michael Williams announced in March his intent to accelerate the scheduled release dates for all general assessments following the statewide spring administration of the tests. The 83rd Texas Legislature subsequently passed and the governor signed into law House Bill 5, which also required TEA to release the assessments.

The following 2013 STAAR assessments have been released:

- Grades 3-8 – Math, Science, Reading, Writing, Social Studies
- High School Math – Algebra I, Geometry, Algebra II
- High School Science – Biology, Chemistry, Physics
- English I Reading, English II Reading, English III Reading
- English I Writing, English II Writing, English III Writing
- World History, World Geography, U.S. History

"The release of these assessments should assist students, parents, teachers and district administrators in understanding the depth and breadth of content and skills assessed on STAAR and the level of performance required for student success on each assessment," Commissioner Williams.

Beginning in the 2013-2014 school year, only five of the previous 15 STAAR end-of -course assessments will be administered at the high school level: Algebra I, English I, English II, biology, and U.S. history. There are no changes to the assessment requirements in grades 3 through 8.

Under the Texas Education Code and State Board of Education rule, primary test forms must be released every three years. Commissioner Williams' directive has now made all general STAAR assessments – all of which were not scheduled for release until 2014 or beyond – immediately available for review.

The STAAR Modified assessment is not part of this accelerated release, but will be made available in 2014, as currently scheduled. The U.S. Department of Education has informed states that assessments based on modified standards for students served by special education cannot be used for accountability purposes after the 2013–2014 school year. As a result of this federal directive, all STAAR Modified assessments will be administered for the final time during the 2013–2014 assessment cycle.

The assessments are available for review in the Student Assessment Division area of the TEA website at: [www.tea.state.tx.us/student.assessment/staar/testquestions](http://www.tea.state.tx.us/student.assessment/staar/testquestions).



**GRADE 5  
Reading**  
Administered April 2013  
**RELEASED**

As LEGO fans have been purchasing...  
Some people enjoy working with...  
LEGO professionals build projects for LEGOLAND...  
LEGO professionals build projects for LEGOLAND...  
LEGO professionals build projects for LEGOLAND...

LEGO Aids	LEGO Creative	LEGO Building
LEGO Aids	LEGO Creative	LEGO Building
LEGO Aids	LEGO Creative	LEGO Building
LEGO Aids	LEGO Creative	LEGO Building



**GRADE 3  
Mathematics  
Spanish Version**  
Administered April 2013  
**RELEASED**

STAIRS CONVERSIONS

Area of a square = $s^2$	Area of a square = $s^2$
Area of a rectangle = $l \times w$	Area of a rectangle = $l \times w$
Area of a triangle = $\frac{1}{2}bh$	Area of a triangle = $\frac{1}{2}bh$
Area of a circle = $\pi r^2$	Area of a circle = $\pi r^2$
Area of a trapezoid = $\frac{1}{2}(b_1 + b_2)h$	Area of a trapezoid = $\frac{1}{2}(b_1 + b_2)h$
Area of a parallelogram = $b \times h$	Area of a parallelogram = $b \times h$
Area of a rhombus = $s^2 \sin A$	Area of a rhombus = $s^2 \sin A$
Area of a kite = $\frac{1}{2}d_1d_2$	Area of a kite = $\frac{1}{2}d_1d_2$
Area of a regular polygon = $\frac{1}{2}n s^2 \cot \frac{\pi}{n}$	Area of a regular polygon = $\frac{1}{2}n s^2 \cot \frac{\pi}{n}$



**World Geography**  
Administered May 2013  
**RELEASED**



## Policy changes

# HB 5 transition guidance issued to districts and charters

Commissioner of Education Michael Williams announced Aug. 2 that the Texas Education Agency (TEA) will be proposing a number of significant policy changes concerning the state's assessment program for the 2013–2014 school year.

"As we begin the new school year, I know students, parents, teachers and administrators are seeking answers to many questions regarding the transition to House Bill 5," said Commissioner Williams. "TEA staff is working diligently to share information regarding this transition as quickly as possible so everyone at the local level can make the best decisions possible."

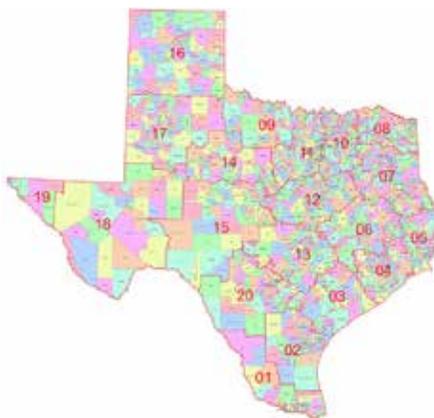
The following policy changes – which will be proposed and adopted under commissioner of education rules – are designed to assist districts in implementing new requirements under House Bill 5 (HB 5), as well as follow established federal requirements, related to the State of Texas Assessments of Academic Readiness (STAAR®):

### STAAR English I and English II Assessments Redesign

Reading and writing are currently assessed separately in the STAAR English I and English II end-of-course (EOC) tests. To comply with the provisions of HB 5, TEA is in the process of redesigning the English I and II reading and writing assessments.

Beginning in spring 2014, STAAR English I and II will measure reading and writing achievement through a single assessment given in one day. Students will receive a single score.

"Many students in the graduating classes of 2015 and 2016 have already taken and passed separate English I and English II reading and writing assessments," said Commissioner Williams. "I want a fair and common sense way to equitably transition those students who, at this point, have passed one assessment but not both in reading and writing."



To provide additional flexibility for students in the 2015 and 2016 graduating classes during the transition period from separate assessments to combined reading and writing assessments for English I and English II, TEA is proposing to maintain the minimum – and cumulative – score to determine whether students taking these assessments have met their English I and English II graduation requirements. This would be applied within each course (not across courses) and would require students who took separate reading and writing assessments to meet three criteria:

- pass one assessment (either reading or writing);
- meet at least the minimum score on the other; and
- achieve a combined scale score of 3750 (the phase-in 1 standard), which represents the sum of the scale scores needed to reach Level II for reading (1875) and Level II for writing (1875).

These three criteria would apply only to the current STAAR English I and II reading and writing assessments administered prior to the roll-out of the combined English I and II assessments in spring 2014. Under this proposal, students who have not met this requirement by that time would need to take and pass the redesigned assessment(s) to meet their English EOC testing requirement for graduation.

### Benchmark Testing

HB 5 prohibits districts from administering more than two benchmark assessments for any corresponding grade/subject or course STAAR assessment. To ensure that students are truly prepared for STAAR, schools must develop strong, coherent academic programs and provide students with high-quality instruction.

◆ See **Performance Standards**, page 17



**Performance Standards** *continued***Performance Standards for 2013–2014 School Year**

TEA is proposing to maintain the phase-in 1 performance standards for the STAAR program for the 2013–2014 school year. The two primary reasons for this proposal:

1. For grades 3–8, schools did not receive performance-level data on students until January 2013, which limited the time available to adjust instruction prior to the spring 2013 test administrations.
2. For all grades and courses, schools did not have access either to a released test form (as they had in the first year of TAKS) or to the associated item-level analysis for their students.

“I believe Texas students are fully capable of reaching the high expectations reflected in the final recommended performance standards, but I also realize the development of strong instructional programs requires time and sustained effort,” said Commissioner Williams. “Extending the phase-in 1 standard through the 2013–2014 school year gives schools additional time to raise the level of student performance.”

Even though the agency is going to maintain the phase-in 1 standard, school districts and charters are reminded that accelerated instruction is required for students who did not perform satisfactorily on end-of-course exams required for graduation under HB 5 [Algebra I, English I (reading/writing), English II (reading/writing), biology, and U.S. history].

Since the end-of-course exams for chemistry, physics, Algebra II, geometry, world history, world geography and English III are no longer required for high school graduation, accelerated instruction is not required for those courses.

HB 5 also eliminates the 15 percent grading requirement. Under the rule previously connected to the STAAR end-of-course examinations, a student’s score would have counted 15 percent of the student’s final grade in each tested subject area. The STAAR end-of-course cumulative score component has also been eliminated.

**Requirements for students who took Algebra I prior to 2011–2012 school year**

TEA is proposing that students who took Algebra I and received course credit prior to the 2011–2012 school year not be required to take the STAAR Algebra I assessment. However, students cannot use a passing score for a STAAR EOC assessment that is no longer required for graduation as a substitute for an assessment that is still required. For example, a passing score on STAAR geometry cannot be used in place of a required passing standard on Algebra I to satisfy the mathematics testing requirement for graduation since the two are not equivalent courses with regard to content.

**Substitute Assessments to Fulfill Graduation Requirements for STAAR**

A proposed substitute assessment rule will allow students to substitute certain comparable tests for corresponding STAAR EOC assessments for graduation purposes. To comply with the provisions of HB 5, TEA will implement this rule in the 2013–2014 school year with an effective date retroactive to the 2011–2012 school year. Under the proposed rule, TEA will determine the cut scores that can be used to satisfy a student’s testing requirement for graduation. It will be the responsibility of the school district and the student to verify the results on substitute assessments for graduation purposes. The substitute assessment rule is expected to be posted for public comment in August.

**Assessing Middle School Students Taking Algebra I**

Current federal accountability requirements specify that students have a mathematics score every year in grades 3–8 as well as a mathematics score in high school. The U.S. Department of Education (USDE) requires states that offer only one mathematics assessment at the high school level – which can also be taken by middle school students – to ensure there is a mathematics result that can be attributed to a high school.

Based on this federal requirement and a related provision within HB 5, districts should either plan on administering multiple assessments to students taking Algebra I in middle school or understand

♦ See **STAAR update**, page 18



## STAAR update *continued*

the potential federal accountability consequences of testing these students only on Algebra I. By administering multiple tests to students taking Algebra I in middle school, assessment results for the current grade level (STAAR grade 8 mathematics score) can be used for federal accountability purposes, while STAAR Algebra I results can be applied in subsequent years where appropriate.

"I reluctantly make this recommendation to districts," said Commissioner Williams. "I do not agree with this federal requirement and would encourage districts to continue to make the best instructional choices for students regardless of the potential accountability impact. Where possible, TEA will pursue other options with the federal government to minimize any negative consequences for students. However, I am not aware of other options that are feasible for the 2013-2014 school year that would satisfy current federal accountability requirements and the legislative requirements of HB 5."

### Application of Performance Standards on EOC Assessments

To meet the testing requirements for graduation, TEA is proposing that the performance standard in place when students take their first EOC test will apply to all five EOC assessments (Algebra I, English I, English II, biology, and U.S. history).

### English Language Learners and English EOC Graduation Requirements

As a result of changes regarding assessment requirements for graduation mandated by HB 5, the Commissioner's rule pertaining to English language learners (ELLs) and STAAR English EOC graduation requirements will be amended. Specifically, the STAAR English II assessment will replace the STAAR English III assessment as the English EOC graduation requirement for ELLs who meet the special provisions of the rule. ELL students who qualify will still have to take the English I EOC assessment but will not have to pass it to meet the assessment graduation requirements. However, they will need to take and pass the English II assessment to meet this requirement.

### Redesign of the STAAR Alternate Program

HB 5 requires TEA to develop an alternate assessment for the most severely cognitively disabled students – one that does not require teachers to prepare tasks or materials. This newly designed alternate assessment will be administered for the first time in the spring of the 2014–2015 school year.

In addition, Senate Bill 906 (which goes into effect in the 2013–2014 school year) prohibits TEA from "adopting a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's admission, review, and dismissal committee." To comply with this requirement, TEA will propose in commissioner rule that the adjusted phase-in standard that was used for the STAAR Alternate program in 2011–2012 be applied to the 2013–2014 results.

### STAAR Modified Program

The U.S. Department of Education has informed states that assessments based on modified standards for students served by special education cannot be used for accountability purposes after the 2013–2014 school year. As a result of that federal directive, all STAAR Modified assessments will be administered for the final time during the 2013–2014 assessment cycle. Further information regarding plans for the inclusion of this population of students in the general assessment program beginning with the 2014–2015 school year will be forthcoming.

Because some of these policy changes must be made under commissioner of education rules, TEA will post and receive public comment for each proposal. Information about additional provisions in HB 5 and other education-related legislation will be communicated as soon as it is available. To read the commissioner's letter to school districts and charters or for general information regarding the assessment program, visit the TEA website at [www.tea.state.tx.us/Communications/Press\\_Releases/2013\\_releases/Statement\\_of\\_Commissioner\\_Michael\\_L\\_Williams\\_regarding\\_the\\_signing\\_of\\_House\\_Bill\\_5/](http://www.tea.state.tx.us/Communications/Press_Releases/2013_releases/Statement_of_Commissioner_Michael_L_Williams_regarding_the_signing_of_House_Bill_5/).



## Charter Schools

# New law changes charter authorization; increases state cap

Effective Sept. 1, 2013, the process for granting open-enrollment charter schools will change and the number of charters in Texas could increase in a graduated fashion over the next six years.

Under [Senate Bill \(SB\) 2](#) approved in the 83rd Legislative session, the authority to grant open-enrollment charters will fall under the purview of the Commissioner of Education. Previously, the State Board of Education had authority to grant state charter contracts. Board members will continue to play a role in the process. The commissioner will notify the board of the charters he proposes to grant and board members will have the authority to veto the commissioner's recommendations within 90 days of his notification.

The legislation allows the cap on open-enrollment charter schools to gradually increase from 215 to 305. The increase allows for:

No. of charters	Time frame
215	through fiscal year ending Aug. 31, 2014
225	beginning Sept. 1, 2014
240	beginning Sept. 1, 2015
255	beginning Sept. 1, 2016
270	beginning Sept. 1, 2017
285	beginning Sept. 1, 2018
305	beginning Sept. 1, 2019 (capped)

The number of open-enrollment charter schools is capped at 305 charters beginning Sept. 1, 2019. The commissioner, by statute, may not grant more than one state charter for an open-enrollment school to any charter holder. Open-enrollment charters are granted for an initial five-year term.

In granting a charter, the commissioner must determine an applicant's capability of carrying out the responsibilities and the likelihood of operating a school of high quality. In addition to the financial, governing, and operational standards outlined in the statute, the application requirements are now expanded to include an educational standard.

The new law also allows granting of priority points to charter applicants that seek to open a campus

in the attendance zone of a school district campus that's been assigned an unacceptable performance rating for the two preceding school years.

No entity (charter, corporate affiliate of, or substantially related party to an entity) that has had a charter surrendered, revoked, denied renewal, or returned under Texas laws or under the laws of another state within the preceding 10 years will be eligible for a charter.

In addition to increasing the cap, the bill authorizes the commissioner to grant up to five charters to be designated as disability charters. To qualify, the law requires that half of the student body at the charter campus be designated as having a disability. These charters would not affect – or be counted against – the statewide cap.

### Charter renewals

Under SB 2, there are some additional revisions to the commissioner's authority to approve charter school renewals. The charter holder must submit a petition for renewal to the commissioner in the time and manner established by commissioner rule. Each renewal granted is for a period of 10 years.

The commissioner is authorized to consider charter renewals using the following processes: expedited renewal; discretionary renewal or denial of renewal; and mandatory expiration.

### Expedited Renewal

A charter is entitled to expedited renewal if: the charter holder has been assigned the highest or second highest academic rating for the three preceding school years; the charter holder has been assigned a financial performance accountability rating indicating financial performance that is satisfactory or better for the three preceding school years; and no campus operating under the charter has been assigned the lowest performance rating for the three preceding school years or such campus has been closed. Under the expedited process, eligible charters submitting

◆ See [Expedited Renewals](#), page 20



## Expedited Renewals *continued*

petitions automatically renew within 30 days of the renewal submission date, unless the commissioner provides written notice to the charter holder that expedited renewal is denied.

### Discretionary Renewal

Discretionary renewal is based on a commissioner rule which must take into account results from annual evaluations set up under newly created Texas Education Code Section 12.1181. If a charter does not meet the criteria for expedited renewal or if the charter school is set up under the Alternate Education Accountability (AEA) system, they are to be considered under the discretionary renewal process.

In considering the renewal of the charter of an open-enrollment charter school that is registered under AEA procedures for evaluation, the commissioner shall use academic criteria appropriate to measuring the specific goals of the school. The commissioner must approve or deny a charter renewal under the discretionary process within 90 days of the renewal submission date.

### Mandatory Expiration (Non-Renewal)

The commissioner must allow a charter to expire if: the charter has been assigned the lowest academic performance rating for any three of the five preceding school years; a financial accountability performance rating indicating financial performance lower than satisfactory for any three of the five preceding school years; the charter holder has been assigned any combination of the lowest academic or financial ratings for any three of the five preceding school years; or any campus has been assigned the lowest academic rating for the three preceding school years and has not been closed. Charters registered under the AEA procedures are not exempt from mandatory expiration for financial accountability ratings.

Since state accountability ratings were not issued for the 2011-2012 school

year, the initial three school years for which performance ratings shall be considered for charter renewals are 2009-2010, 2010-2011, and 2012-2013. The initial year for which the financial performance ratings shall be considered is the 2010-2011 school year.



### Renewal Procedures

The decision by the commissioner for charter expiration is final and may not be appealed. A decision by the commissioner to deny renewal of a charter in discretionary renewal is subject to review by the State Office of Administrative Hearing (SOAH).

### Revocation

In addition to allowing a charter to expire for poor academic and/or financial performance, SB 2 adds two additional criteria: a failure to satisfy performance framework standards adopted under TEC 12.1181; and a determination to be eminently insolvent.

The new law requires the commissioner to revoke the charter of an open-enrollment charter school if the charter holder has been assigned an unacceptable performance rating for the three preceding school years, the charter holder has been assigned an unsatisfactory financial performance rating for the three preceding school years, or the charter school has been assigned any combination of the ratings described for the three preceding school years.

◆ See **Other Provisions**, page 21



**Other Provisions** *continued***Other Provisions**

Among the other provisions authorized in SB 2 are:

- A prohibition on nepotism in an open-enrollment charter beginning with all persons hired after Sept. 1, 2013. All persons employed prior to the enactment date are considered grandfathered.
- An establishment of a statutory timeline of 60 days for expansion amendments, including new school designation.
- The addition to TEC Section 12.1013 an annual report prepared by an education research center that compares the performance of open-enrollment charters schools to other campuses and an analysis of whether the performance of campuses would improve were school districts to be consolidated within a county.
- Stating that an employee of an open enrollment charter providing services at a campus is eligible for membership in the Teachers' Retirement System of Texas in the same manner and extent as a qualified employee of an independent school district employed on a regularly operating campus or program.
- HB 647 requires that charters may use the same guidelines as independent school districts in employing certified individuals as classroom teachers.

**School district charter campuses**

SB 2 also includes new provisions for independent school districts.

- Requires the board of trustees of an independent school district to give open-enrollment charter schools the opportunity to make an offer for sale or lease of unused or underused property that the district intends to offer for sale or lease to other entities.
- Requires the trustees of a school district or the governing body of a home-rule district to vote on any petition presented regarding the conversion of a campus or a program on a campus to a charter. Previously, local trustees were given the option to vote on the request.
- Outlines the parameters in which school district trustees or the governing body of a home-rule district may grant a district charter. The new statute limits the granting of a charter to one or more campuses serving no more than 15 percent of the total district student enrollment (in the preceding school year). This percentage limit does not constrain the district from granting a charter to at least one feeder pattern (elementary, middle or junior, and high). District charters may be granted to any campus that has received the lowest performance rating.

**Charter Interviews****Open enrollment charter applicant interviews set**

Interviews of the Generation 18 applicants for open-enrollment charter schools will be held Sept. 11-13 at the William B. Travis Building, 1701 N. Congress Ave. in Austin.

Applicants will be interviewed by staff of the Texas Education Agency and members of the State Board of Education.

TEA staff then will recommend that the commissioner grant charters to selected applicants.

The Commissioner will then forward his selections to the SBOE members who will have 90 days to reject any recommendation. A board decision is expected Sept. 20.

Senate Bill 2 (SB 2) passed in the 83rd Legislative session, moved authority to grant the open-enrollment charters from the SBOE to the Commissioner.

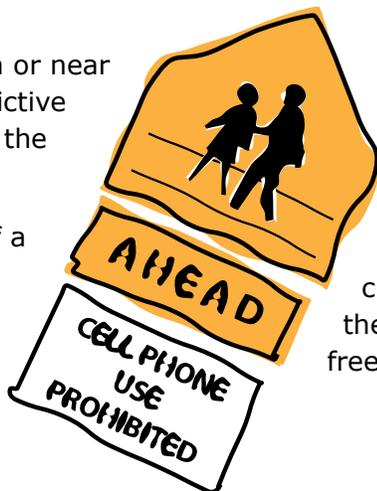


## House Bill 347

## Law restricts use of electronic devices in school crossing zones

Using wireless electronic devices on or near school property became more restrictive with legislation passed this year by the 83rd Texas Legislature.

[House Bill 347](#) restricts the use of a wireless device in a school crossing zone or while operating a school bus with a minor passenger.



Effective Sept. 1, 2013, the bill also prohibits use of the device while operating a motor vehicle on campus property which has been designated a school crossing zone or during a time a reduced speed limit is in effect for school crossing zones. The only exception is when the vehicle is stopped or when using a hands-free device.

## Merry Christmas bill

## Schools allowed to teach history and culture of holidays

The generic winter bulletin board filled with snowmen could become more holiday specific this year due to the passage of [HB 308](#), also known as the "Merry Christmas" bill.

Concerned that some educators were afraid to mention Christmas or Hanukkah, state Rep. Dwayne Bohac, R-Houston, filed this bill, which easily won approval during the 83rd legislative session. "Parents and educators want the freedom to decorate Christmas trees, use traditional holiday greetings, display menorahs and generally celebrate these traditional winter holidays on school grounds. This common-sense legislation tracks Supreme Court precedent which has made it clear that such expressions and displays are, indeed, permissible," he said in a statement he issued when he filed the legislation. He noted that Christmas has been an official federal holiday since 1870.

The bill, which is effective with the 2013-2014 school year, allows a school district to educate students about the history and culture of traditional winter celebrations. It also gives districts specific

authority to display a menorah, Christmas tree or nativity scene if the display includes a scene or symbol of more than one religion or one religion and at least one secular scene or symbol.

Fourteen individuals or organizations testified in favor of the bill during legislative hearings, while eight testified in opposition to the bill.

Some who opposed the bill expressed concerns that it would result in "excessive government entanglement with religion."

During the bill signing ceremony, Gov. Rick Perry said, "Freedom of religion doesn't mean freedom from religion, and people of faith often feel like they can't express that faith publicly. HB 308 works to address that by ensuring that people of all faiths are free to use traditional holiday greetings, and display religious scenes and symbols, even on school property. It ensures freedom of expression where, for many students, teachers and administrators, it's most important."



## In Other Action

**Summaries of SBOE actions can be found online**

The State Board of Education met July 17 – 19, 2013. Summaries of actions taken by the SBOE can be found on the Texas Education Agency's website at [www.tea.state.tx.us/sboe/actions/](http://www.tea.state.tx.us/sboe/actions/)

## Beach Art

**Most Texas public schools in session by Aug. 26**

Summer is winding down - enjoy those last few days of summer vacation. Most Texas public schools will be back in session the week of Aug. 26. Good luck to all our returning teachers and students and have a great school year!

*Yulisa Melendez  
J.R. Harris Elementary  
Houston ISD*

*Artwork from the 2013 Adopt-a-Beach competition, sponsored by the Texas General Land Office and on display at the Texas Education Agency through Aug. 23, 2013*

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